IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

WP(C).No. 6594 of 2007(I)

PETITIONER:

DR.GEORGE THARAKAN, AGED 74,
S/O.KOCHUMMAN GEORGE THARAKAN,
THARAKANPRAMBIL VEEDU, ANGADICAL SOUTH,
MULLAKKUZHI VILLAGE, CHENGANNOOR TALUK.

BY ADV. SRI.C.P.UDAYABHANU

RESPONDENTS:
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1. MULAKKUZHA GRAMA PANCHAYATH,
REPRESENTED BY THE SECRETARY,
MULAKKUZHA GRAMA PANCHAYAST, CHENGANNUR,
ALAPPUZHA DISTRICT.

2. THE OFFICER IN CHARGE,
HUTCHISON ESAR CELLULAR LTD, XL-5115,
ASHIS BUILDING, SHANMUGHAM ROAD,
KOCHI-682 031.

3. KERALA STATE POLUTION CONTROL BOARD,
REPRESENTED BY THE MEMBER SECRETARY,
KERALA STATE POLUTION CONTROL BOARD,
THIRUVANANTHAPURAM.

R3 BY ADV.SRI.M.K.CHANDRAMOHAN DAS, S.C.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J

W.P(C).No.6594 OF 2007

Dated this the 27th day of February, 2007

JUDGMENT

The petitioner objects to the erection of certain towers for transmitting electronic waves in connection with mobile phone service. The principal contention is that such towers will result in health hazards. These are matters which would gain appropriate attention of the competent authority under the relevant statutes. It has been repeatedly held by this Court that individuals cannot object to such activity so long as the erection of the towers and its utility are on the basis of permissions granted by the competent authorities. Hence, without prejudice to the petitioner raising any grounds before the competent authority under the relevant statutes governing such mobile towers, this writ petition is dismissed.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.